



UNITED STATES PATENT AND TRADEMARK OFFICE

SW

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/540,095	03/31/2000	Richard Thomas Box	AND1P051F	2254

29838 7590 10/09/2003

OPPENHEIMER WOLFF & DONNELLY, LLP (ACCENTURE)
PLAZA VII, SUITE 3300
45 SOUTH SEVENTH STREET
MINNEAPOLIS, MN 55402-1609

EXAMINER

POND, ROBERT M

ART UNIT	PAPER NUMBER
----------	--------------

3625

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/540,095

Applicant(s)

BOX, RICHARD THOMAS

Examiner

Robert M. Pond

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

The Applicant filed a Request for Continued Examination under 37 CFR 1.114. The Applicant cancelled all pending claims and added Claims 39-68. All pending claims, 39-68, were examined in the non-final Office Action.

Response to Arguments

Applicant's arguments with respect to Claims 39-69 have been considered but are moot in view of the new ground(s) of rejection. Dedrick and Newsbytes were not cited in this Office Action.

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). Misnumbered Claims 39-68 were renumbered 40-69. Highest previous Claim 39 was cancelled in Amendment B, Paper #6.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 40 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding Claim 40, the phrase "when necessary" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 40, 43-49, 51-53, 56-59, 63-64, and 68-69 are rejected under 35 USC 103(a) as being unpatentable over Navarre et al. (patent number 6,205,482), in view of PR Newswire (PTO-892, Item: U).

Art Unit: 3625

Navarre et al. teach a system and method of executing requests from a client application to a receiving application server via a gateway that converts the client machine requests into appropriate data access transactions (see at least abstract; Fig. 2 (210, 220, 260); col. 1, line 66 through col. 2, line 44). Navarre et al. further teach the following:

- Using an encrypted user-id and password for secure access (see at least col. 4, lines 41-55),
- Using a user profile stored in the user profile database to create a menu of services accessible to the user for the current session once authorization is completed (see at least col. 4, lines 53-55),
- Managing user transactions (see at least abstract; col. 2, line 45 through col. 3, line 59),
- Using the user profile for billing purposes (see at least col. 4, line 65 through col. 5, line 37); maintaining a complete record of the user's session for auditing billing details (see at least; col. 5, lines 8-10), applying charges to a user account (see at least col. 5, lines 11-190); remitting charges to the appropriate information service providers (col. 5, lines 20-38),
- Gateway managing required formats with each service provider application (see at least col. 2, line 61 through col. 3, line 23),

Art Unit: 3625

- Output features to the user that can be conditionally modified or reformatted using conditional functions that are customizable (see col. 3, lines 53-55),
- Connecting a client machine to multiple server applications via a computer gateway; by example, connecting the client machine to multiple government agencies via the gateway and searching a record by name (see at least Fig. 2 (200); col. 3, line 60 through col. 4, line 41), and
- Using a web browser at the client machine (see at least col. 3, lines 1-4).

Navarre et al. teach all the above as noted under the 103(a) rejection and further teach a) transaction processing between a client computer and government agency servers via a gateway connected to a network, b) encrypted input, and c) "any suitable authentication procedure can be used" (see at least col. 4, lines 50-53), but do not disclose specifics about any suitable authentication procedure. PR Newswire teaches IRS selecting Verisign for the Electronic Tax Administration (ETA) PKI pilot program that enables secure email and electronic filing (e-filings) of individual tax returns. PR Newswire teaches Verisign providing digital certificate and PKI infrastructure in conjunction with tax filing applications from Verisign's partners Intuit and UWI.com. PR Newswire further teaches the digital certificate a) providing significantly stronger security for access control than usernames and passwords, b) serving as non-forgable electronic identity badges for users to access government services and benefit

information online, c) ensuring filers that their filing will not be modified en route and ensuring the IRS its applications are secure and authentic, and d) providing confidentiality and authentication for internal and external communication including email, electronic forms, and a broad variety of other application (pages 1-2). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of Navarre et al. to include suitable authentication for tax filings or other electronic forms using digital certificates and PKI infrastructure as taught by PR Newswire, in order to provide secure access to online government services, thereby attracting users concerned with security and integrity of confidential tax reports.

4. **Claim 41 is rejected under 35 USC 103(a) as being unpatentable over Navarre et al. (patent number 6,205,482), and PR Newswire (PTO-892, Item: U), as applied to Claim 40, further in view of Official Notice (regarding profile information hereafter referred to as "ON1").**

Navarre et al. and PR Newswire teach all the above as noted under the 103(a) rejection and teach a) a user profile database, b) online service providers, and b) IRS customers filing tax reports online to the IRS, but do not disclose including demographic data. This examiner takes the position that it is old and well-known in the arts to include demographic information in a customer profile that would be useful in providing better services to the customer base (e.g. age, gender, race, geographic location) or to incorporate additional information useful

Art Unit: 3625

for identity purposes (e.g. birth date). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of Navarre et al. and PR Newswire to include demographic data in a user profile as taught by ON1, in order to include additional information useful to online service providers.

- 5. Claim 42 and 50 is rejected under 35 USC 103(a) as being unpatentable over Navarre et al. (patent number 6,205,482), and PR Newswire (PTO-892, Item: U), as applied to Claim 46, further in view of Johnson (PTO-892 Item: V) and Official Notice (regarding business information hereafter referred to as "ON2").**

Navarre et al. and PR Newswire teach all the above as noted under the 103(a) rejection and teach a) government agencies as online service providers, and b) the IRS providing an online service for taxpayers to file tax reports electronically to the IRS, but do not disclose displaying information for business. Johnson teaches the IRS providing an online site for taxpayers featuring a search engine, tax information for businesses, electronic filing, taxpayer education, forms and publications (see pages 1-2). This examiner takes the position that the tax information for businesses is limited to a type of business at least by business category due to old and well-known differences in tax treatment for small businesses versus large business tax filing requirements. Therefore it would have been obvious to one of ordinary skill in the art at time of invention to modify the system and method of Navarre et al. and PR Newswire to display

Art Unit: 3625

business information as taught by Johnson and ON2, in order to inform the business taxpayer.

- 6. Claims 54-55 and 62 are rejected under 35 USC 103(a) as being unpatentable over Navarre et al. (patent number 6,205,482), and PR Newswire (PTO-892, Item: U), as applied to Claim 40, further in view of Proctor (PTO-892 Item: W).**

Navarre et al. and PR Newswire teach all the above as noted under the 103(a) rejection and teach implementing security features (e.g. SSL, certificates, PKI) and maintaining full audit and history information (Item: U, page 2), but do not disclose the monitoring and detection of abusive patterns of use. Proctor teaches the state of the art of intrusion detection systems covering the following topics, but not limited to: monitoring networks and systems for abnormal behavior, and use of audit data to detect patterns of abuse, trending analysis, and audit log reduction and archiving (Item: W, see pages 1-7). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of Navarre et al. and PR Newswire to include intrusion detection system features as taught by Proctor, in order to improve overall system security and performance, and encourage users to use the online service.

- 7. Claims 60-61 are rejected under 35 USC 103(a) as being unpatentable over Navarre et al. (patent number 6,205,482), and PR Newswire (PTO-892, Item: U), as applied to Claim 40, further in view of PR Newswire (PTO-892 Item: X hereafter referred to as "PRN").**

Navarre et al. and PR Newswire teach all the above as noted under the 103(a) rejection and teach e-filings with the IRS, but do not specifically disclose taxpayers neither receiving a confirmation nor a receipt. PRN teaches IRS e-filings and receiving an email from the IRS confirming acceptance by the IRS. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of Navarre et al. and PR Newswire to include email confirmation as taught by PRN, in order to provide the taxpayer with a confirming receipt that the filing was accepted.

- 8. Claims 65-67 are rejected under 35 USC 103(a) as being unpatentable over Navarre et al. (patent number 6,205,482), and PR Newswire (PTO-892, Item: U), as applied to Claim 64, further in view Official Notice (regarding old and well-known filing requirements by government agencies hereafter referred to as "ON3").**

Navarre et al. and PR Newswire teach all the above as noted under the 103(a) rejection and teach a) a user transacting business with multiple online government agencies, and b) filing tax reports with the IRS electronically, but do not specifically disclose filing information with the EPA and OSHA. This examiner

Art Unit: 3625

takes the position that Navarre et al. and PR Newswire substantially address the instant claims by providing a pertinent teaching of a system and method that connects a user to online government services wherein the user is filing reports required by the specific government agency. EPA and OSHA are government agencies with their own specific filing requirements for businesses. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of Navarre et al. and PR Newswire to include online filings required by EPA and OSHA as taught by ON3, in order to more fully disclose online service capabilities, and thereby attract more providers to the transaction processing service.

Art Unit: 3625

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mr. Robert M. Pond** whose telephone number is 703-605-4253. The examiner can normally be reached Monday-Friday, 8:30AM-5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Ms. Wynn Coggins** can be reached on 703-308-1344.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **703-308-1113**.

Any response to this action should be mailed to:

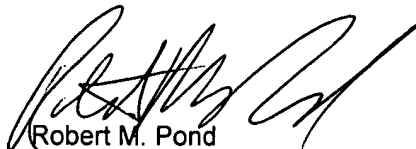
Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

703-872-9306 (Official communications; including After Final communications labeled "Box AF")

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.



Robert M. Pond
Patent Examiner
October 1, 2003